



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,862	02/25/2004	Sergey Shokhor	08204/0200873-US0	3678
38878	7590	12/01/2008		
F5 Networks, Inc. c/o DARBY & DARBY P.C. P.O. BOX 770 Church Street Station NEW YORK, NY 10008-0770			EXAMINER KEEHN, RICHARD G	
			ART UNIT 2456	PAPER NUMBER
			MAIL DATE 12/01/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/786,862	Applicant(s) SHOKHOR ET AL.	
	Examiner Richard G. Keehn	Art Unit 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-33 have been examined and are pending.

Response to Arguments

1. Applicant's arguments with amendments, see Page 10, filed 8/25/2008, with respect to 35 U.S.C. 101 rejection of claims 28-30 have been fully considered and are persuasive. The rejection of Claims 28-30 has been withdrawn.
2. Applicant's arguments with respect to prior art rejections of Claims 1-34 have been considered but are moot in view of the new ground(s) of rejection. Also, Examiner respectfully disagrees with Applicant's arguments (see page 11) that types are not configurations. A client's type is an indication of its configuration.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1, 22, 28 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Regarding claims 1, 22, 28 and 31, the phrase "configured to" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-2, 4, 7, 10-11, 13-16, 21-23, 25, 28 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,954,792 B2 (Kang et al.), and further in view of US 7,430,524 B2 (Shah et al.).

As to Claims 1, 10, 22, 28 and 31, Kang et al. disclose an invention substantially as claimed, including an apparatus, method, network appliance, computer readable storage medium that includes data and instructions, and apparatus respectively, for managing access to a resource over a network, comprising:

a receiver arranged to receive a request for access to the resource from a client device (Kang et al. – Figure 4, item 400, as well as Column 13, line 1 recite the client sending a connection request for access to resources to a server); and

a policy manager, coupled to the receiver, that is arranged to perform actions (Kang et al. – Figure 4, item 412, as well as Column 13, lines 20-29 recite the authentication protocol handler), including:

applying a dynamic policy for the access based, in part, on the [*sic*] configuration (Kang et al. – Column 13, lines 3-5 recite the client and server negotiating the authentication type, when is a dynamic process); and

applying a restriction to the access for the requested resource based on the applied dynamic policy (Kang et al. – Figure 4, item 416 recites the denial of client access to server resources).

Kang et al. do not disclose, but Shah et al. disclose an invention substantially as claimed, including

downloading a component onto the client device, wherein the downloaded component is configured to inspect the client device to detect a configuration of the client device (Shah et al. – Column 76, lines 9-25 recite downloading an agent onto a client device to inspect the client device to determine the client device's configuration, and reporting said configuration back to the server that sent the agent);

receiving from the downloaded component the configuration of the client device based on the inspection (Shah et al. – Column 76, lines 14-15 recite the agent sending and server receiving the configuration information); and

received configuration (Shah et al. – Column 76, lines 14-15 recite the agent sending and server receiving the configuration information).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine sending an agent to determine a client's configuration and reporting back to the sender taught by Shah et al. with determining the client configuration taught by Kang et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to determine information regarding a plurality of client devices for system modeling (Shah et al. – Column 76, lines 40-51).

As to Claim 2, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1, wherein determining the configuration of the client device further comprises:

if the client device is configured to not download the component, then receiving the configuration of the client device through a browser residing on the client device (Shah et al. – Column 76, lines 15-22 recite the server capable of determining client's configuration via a plug and play interface which those of ordinary skill in the art would know to include plug and play browsers, as an alternative to the downloadable component determining the configuration and sending it back to the server).

The motivation and obviousness arguments are the same as in Claim 1.

As to Claim 4, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1,

wherein determining the configuration of the client device further comprises determining information associated with the connection between the client device and the resource (Kang et al. – Figure 4, item 402 recites the determining of the authentication, which is associated with connection).

As to Claim 7, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1,

wherein the restriction includes at least one downloadable component (Kang et al. – Figure 5, item 510 recites the client gaining access to the server resources, which are downloaded from server to client).

As to Claim 11, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10, further comprising in response to receiving the request for access to the resource, transmitting a downloadable component to the client device (Kang et al. – Figure 5, items 500, 506 and 510 recite allowing the client to download the resource in response to a request for the resource and after authentication).

As to Claim 13, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10, wherein receiving the configuration further comprises:

receiving information indicating at least one of one level of trust associated with the client device, a type of encryption enabled on the client device, a type of antivirus enabled on the client device, a security feature enabled on the client device, a browser type, an operating system configuration, a security certificate, and if a hacker tool is enabled on the client device (Kang et al. – Figure 4, item 414 recites determining client authentication which is a level of trust; Shah et al. – Column 76, lines 14-15 recite the agent sending and server receiving the configuration information).

The motivation and obviousness arguments are the same as in Claim 1.

As to Claim 14, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10,

wherein receiving the configuration further comprises: receiving information indicating a level of trust of the client device (Kang et al. – Figure 4, item 414 recites determining client authentication which is a level of trust; Shah et al. – Column 76, lines 14-15 recite the agent sending and server receiving the configuration information).

The motivation and obviousness arguments are the same as in Claim 1.

As to Claim 15, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10, wherein receiving the configuration further comprises:

receiving information indicating a characteristic of an enabled security application enabled (Kang et al. – Figure 4, item 414 recites the determination of authenticity, which is a security application Shah et al. – Column 76, lines 14-15 recite the agent sending and server receiving the configuration information).

The motivation and obviousness arguments are the same as in Claim 1.

As to Claim 16, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10,

wherein applying the restriction further comprises downloading a component to the client device (Kang et al. – Figure 5, items 506, 508 and 510 recite the granting or not granting of access to the client).

As to Claim 21, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10,

wherein applying the dynamic policy further comprises restricting the access to the resource (Kang et al. – Figure 5, item 508 recites restricting access to the client based on the authentication policy).

As to Claim 23, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the network appliance of claim 22,

wherein the processor is configured to perform further actions, comprising:

in response to receiving the request for access to the resource, receiving additional information about the configuration of the client device through a query with a browser residing on the client device (Shah et al. – Column 76, lines 15-22 recite the server capable of determining client's configuration via a plug and play interface which those of ordinary skill in the art would know to include plug and play browsers, as an alternative to the downloadable component determining the configuration and sending it back to the server).

The motivation and obviousness arguments are the same as in Claim 1.

As to Claim 25, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the network appliance of claim 23, wherein determining the configuration of the client device further comprises:

if the client device is not configured to receive a downloadable component, receiving information about the configuration of the client device through a browser application residing within the client device (Shah et al. – Column 76, lines 15-22 recite the server capable of determining client's configuration via a plug and play interface which those of ordinary skill in the art would know to include plug and play browsers, as an alternative to the downloadable component determining the configuration and sending it back to the server).

The motivation and obviousness arguments are the same as in Claim 1.

As to Claim 30, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the computer readable storage medium of claim 28,

wherein applying the restriction further comprises blocking a download of at least one file to the client device (Kang et al. – Figure 5, item 508 recites blocking client access to information on the server).

8. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 1 above, and further in view of US 2002/0111852 A1 (Levine).

As to Claim 3, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1.

The combination of Kang et al. and Shah et al. does not disclose, but Levine discloses an invention substantially as claimed, including

wherein the received configuration indicates whether the client device is operating as a kiosk (Levine – Page 2, ¶ [0022] recites determining the type of client device and whether it's a cell phone, kiosk, PDA, laptop, desk computer, terminal or any other access device).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine wherein the received configuration indicates whether the client device is operating as a kiosk taught by Levine, with determining a client's configuration taught by the combination of Kang et al. and Shah et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to know the client configuration in order to personalize content delivery (Levine - Page 2, ¶ [0015]).

As to Claim 12, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10.

The combination of Kang et al. and Shah et al. does not disclose, but Levine discloses an invention substantially as claimed, including wherein receiving the configuration further comprises:

receiving information indicating whether the client device is a laptop, personal computer, kiosk, or a mobile device (Levine – Page 2, ¶ [0022] recites determining the type of client device and whether it's a cell phone, kiosk, PDA, laptop, desk computer, terminal or any other access device).

The motivation and obviousness arguments are the same as in Claim 3.

9. Claims 5-6, 17-18, 24 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 1 above, and further in view of US 5,974,549 (Golan).

As to Claim 5, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1.

The combination of Kang et al. and Shah et al. does not disclose, but Golan discloses an invention substantially as claimed, including

wherein inspecting the client device to detect a configuration further comprises detecting if security software is installed on the client device and if security software is installed, inspecting the security software to detect if the security software is active or

Art Unit: 2456

disabled (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment which checks the status of security software).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine virtual sandbox security monitoring taught by Golan, with a policy manager, coupled to the receiver taught by the combination of Kang et al. and Shah et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to allow a component to execute freely while enforcing compliance with security rules (Golan – Column 6, lines 1-5).

As to Claim 6, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1, wherein applying the restriction further comprises that is configured based on the applied dynamic policy (Kang et al. – Figure 4, item 412 recites the dynamic authentication procedure).

The combination of Kang et al. and Shah et al. does not disclose, but Golan discloses an invention substantially as claimed, including

employing a virtual sandbox (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment which checks the status of security software).

The motivation and obviousness arguments are the same as in Claim 5.

As to Claim 17, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the method of claim 10.

The combination of Kang et al. and Shah et al. does not disclose, but Golan discloses an invention substantially as claimed, including wherein applying the restriction further comprise configuring a virtual sandbox to intercept a communication between the client device and the resource (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment).

The motivation and obviousness arguments are the same as in Claim 6.

As to Claim 18, the combination of Kang et al., Shah et al. and Golan discloses an invention substantially as claimed, including the method of claim 17,

wherein intercepting the communication further comprises blocking a download of at least one file to the client device (Kang et al. – Figure 5 recites blocking access to server resources).

As to Claim 24, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the network appliance of claim 22.

The combination of Kang et al. and Shah et al. does not disclose, but Golan discloses an invention substantially as claimed, including wherein applying the restriction further comprises employing a virtual sandbox that is configured based on the applied dynamic policy (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment).

The motivation and obviousness arguments are the same as in Claim 6.

As to Claim 29, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the computer readable storage medium of claim 28.

The combination of Kang et al. and Shah et al. does not disclose, but Golan discloses an invention substantially as claimed, including wherein applying the restriction further comprises configuring a virtual sandbox to intercept a communication between the client device and the resource (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment).

The motivation and obviousness arguments are the same as in Claim 6.

10. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 1, and further in view of Non-Patent Literature on the Print Distributor 2.0 system (Print Distributor 2.0).

As to Claim 8, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1.

The combination of Kang et al. and Shah et al. does not disclose, but Print Distributor 2.0 disclose an invention substantially as claimed, including wherein the restriction is configured to intercept a communication between the client device and the apparatus (Print Distributor 2.0 – Pages 1-3 recite the downloadable resource called

Art Unit: 2456

Print Distributor 2.0 which intercepts print files and restricts the launching of the print job to the printer by allowing redirection to a file).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine applying a restriction to the access for the requested resource based on the applied dynamic policy taught by Print Distributor 2.0, with a receiver arranged to receive a request for access to the resource from a client device and a policy manager, coupled to the receiver, that is arranged to perform actions taught by the combination of Kang et al. and Shah et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to provide a means to execute the security access policy by interception and restriction (Print Distributor 2.0 - pages 1-3).

As to Claim 9, the combination of Kang et al. and Shah et al. discloses an invention substantially as claimed, including the apparatus of claim 1.

The combination of Kang et al. and Shah et al. does not disclose, but Print Distributor 2.0 discloses an invention substantially as claimed, including wherein applying the restriction further comprises performing at least one of intercepting a system command, inhibiting a file save, inhibiting a file print, restricting launching of a predetermined application, and redirecting access to a file (Print Distributor 2.0 – Pages 1-3 recite the downloadable resource called Print Distributor 2.0 which intercepts print files and restricts the launching of the print job to the printer by allowing redirection to a file).

The motivation and obviousness arguments are the same as in Claim 8.

11. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 10 above, and further in view of US 7,200,272 B2 (Ishikawa).

As to Claim 19, the combination of Kang et al. and Shah et al. disclose an invention substantially as claimed, including the method of claim 10.

The combination of Kang et al. and Shah et al. does not disclose, but Ishikawa discloses an invention substantially as claimed, wherein applying the restriction further comprises:

if the access to the resource is terminated, performing cleanup on the client device including at least one of deleting a cached file, deleting a temporary file, and enabling a disabled system command (Ishikawa – Column 5, lines 2-12 recite the client's cache manager deleting the user's cache as part of a cleanup).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine performing cleanup on the client device including at least one of deleting a cached file, deleting a temporary file, and enabling a disabled system command taught by Ishikawa, with applying a restriction to the access for the requested resource based on the applied dynamic policy taught by the combination of Kang et al. and Shah et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to avoid system resources from sitting at their maximum limit, thus freeing up resources for other applications to use (Ishikawa - Column 5, lines 8-12).

12. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 10 above, and further in view of US 7,107,052 B2 (Mahany).

As to Claim 20, the combination of Kang et al. and Shah et al. disclose an invention substantially as claimed, including the method of claim 10.

The combination of Kang et al. and Shah et al. does not disclose, but Mahany discloses an invention substantially as claimed, including wherein applying the dynamic policy further comprises determining at least one of a connector, and an adaptor to enable the access to the resource (Mahany - Column 6, lines 47-54 recite the determination of an adaptor to provide access to resources).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine determining at least one of a connector, and an adaptor to enable the access to the resource taught by Mahany, with applying a restriction to the access for the requested resource based on the applied dynamic policy taught by the combination of Kang et al. and Shah et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to ensure the proper communication equipment is available.

13. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 22 above, and further in view of US 6,931,546 B1 (Kouznetsov et al.).

As to Claim 26, the combination of Kang et al. and Shah et al. disclose an invention substantially as claimed, including the network appliance of claim 22, wherein applying the dynamic policy further comprises:

restricting access to the resource (Kang et al. - Figure 5, item 508 recites restricting access to the resource).

The combination of Kang et al. and Shah et al. does not disclose, but Kouznetsov et al. disclose an invention substantially as claimed, including if the client device is configured to restricting a download of a component (Kouznetsov et al. - Column 7, lines 16-19 recite the client restricting a download).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine if the client device is configured to restricting a download of a component taught by Kouznetsov et al., with applying a restriction to the access for the requested resource based on the applied dynamic policy taught by the combination of Kang et al. and Shah et al.

One of ordinary skill in the art at the time the invention was made would have been motivated to be compatible with clients designed to detect imposter servers (Kouznetsov et al. – Column 7, lines 16-32).

14. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kang et al. and Shah et al. as applied to claim 22 above, and further in view of US 6,931,546 B1 (Kouznetsov et al.) and Non-Patent Literature on the Print Distributor 2.0 system (Print Distributor 2.0).

As to Claim 27, the combination of Kang et al. and Shah et al. disclose an invention substantially as claimed, including the network appliance of claim 22.

The combination of Kang et al. and Shah et al. does not disclose, but Print Distributor 2.0 discloses an invention substantially as claimed, including intercepting a communication between the client device and the requested resource to perform at least one of preventing an access to file, and restricting an action (Print Distributor 2.0 – Pages 1-3 recite the downloadable resource called Print Distributor 2.0 which intercepts print files and restricts the launching of the print job to the printer by allowing redirection to a file).

The combination of Kang et al. and Shah et al. does not disclose, but Kouznetsov et al. disclose an invention substantially as claimed, including if the client device is configured to restrict a download of a component (Kouznetsov et al. - Column 7, lines 16-19 recite the client restricting a download),

The motivation and obviousness arguments for Kouznetsov et al. are the same as in Claim 26.

The motivation and obviousness arguments for Print Distributor 2.0 are the same as in Claim 8.

15. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,954,792 B2 (Kang et al.), and further in view of US 5,974,549 (Golan).

As to Claim 32, Kang et al. disclose an invention substantially as claimed, including a method for managing access to a resource over a network, comprising:

receiving a request for access to the resource from a client device (Kang et al. – Figure 4, item 400 recites the client sending a connection request for access to resources to a server);

applying a dynamic policy to the access [*sic*] (Kang et al. – Column 13, lines 3-5 recite the client and server negotiating the authentication type, when is a dynamic process); and

applying a restriction to the access for the requested resource based on the applied dynamic policy (Kang et al. – Figure 4, item 416 recites the denial of client access to server resources).

Kang et al. do not disclose, but Golan discloses an invention substantially as claimed, including

determining a level of security software enabled on the client device (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment which checks the status of security software); and

based, in part, on the determined level of security software enabled (Golan – Column 6, lines 1-5 recite the use of the virtual sandbox in a security monitoring environment which checks the status of security software).

The motivation and obviousness arguments are the same as in Claim 5.

16. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,954,792 B2 (Kang et al.), and further in view of US 2002/0111852 A1 (Levine).

As to Claim 33, Kang et al. disclose an invention substantially as claimed, including a method for managing access to a resource over a network, comprising:

receiving a request for access to the resource from a client device (Kang et al. – Figure 4, item 400 recites the client sending a connection request for access to resources to a server); and

applying a restriction to the access for the requested resource based on the determined configuration of the client device (Kang et al. – Figure 4, item 416 recites the denial of client access to server resources).

Kang et al. do not disclose, but Levine discloses an invention substantially as claimed, including

determining if the client device is configured as a kiosk or a mobile device (Levine – Page 2, ¶ [0022] recites determining the type of client device and whether it's a cell phone, kiosk, PDA, laptop, desk computer, terminal or any other access device);

The motivation and obviousness arguments are the same as in Claim 3.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Keehn whose telephone number is 571-270-5007. The examiner can normally be reached on Monday through Thursday, 9:00am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2456

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RGK

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2456